AGENDA REPORT

Meeting Date: December 5, 2007

Item Number: F-3

To: Honorable Mayor & City Council

From: Laurence S. Wiener, City Attorney

Subject: ORDINANCE OF THE CITY OF BEVERLY HILLS EXTENDING THE TERM OF A MEMBER OF THE ARCHITECTURAL COMMISSION

Attachments: Ordinance.

RECOMMENDATION

Staff recommends that the City Council adopt the ordinance.

INTRODUCTION

This ordinance extends the term of office for Architectural Commissioner Arline Pepp through April 2008.

DISCUSSION

At the City Council meeting of November 20, 2007, the City Council conducted a first reading of this ordinance.

FISCAL IMPACT

There is no fiscal impact.

Laurence S. Wiener, City Attorney

Approved By

ORDINANCE NO. 07-O-____

ORDINANCE OF THE CITY OF BEVERLY HILLS EXTENDING THE TERM OF A MEMBER OF THE ARCHITECTURAL COMMISSION

THE CITY COUNCIL OF THE CITY OF BEVERLY HILLS HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council finds:

1.1 In accordance with the provisions of the Beverly Hills Municipal Code, the City Council duly appointed Arline Pepp to the Architectural Commission on November 8, 2001 to serve an initial term of two (2) years.

1.2 In accordance with the provisions of the Beverly Hills Municipal Code, the City Council duly reappointed Commissioner Pepp to a second successive term of four (4) years. Therefore, Commissioner Pepp's term expired on November 7, 2007.

1.3 Pursuant to Section 2-2.105(b), Architectural Commissioners who serve two (2) successive terms are not eligible for reappointment to the Architectural Commission, and, accordingly, Commissioner Pepp may not be reappointed to serve on the Architectural Commission. A member, may, however, serve beyond the expiration of his or her term until such time as a successor is appointed pursuant to Section 2-2.105(c).

1.4 The City Council/Architectural Commission Liaison has requested that City Council extend the term of Commissioner Pepp through and including April 2008, and commence recruitment for a qualified successor on or after January 1, 2008.

1.5 The City Council duly considered this matter at a noticed public meeting and concurs with the recommendation of the City Council/Architectural Commission

Liaison that it would be in the best interest of the City to extend the term of Commissioner Pepp on the Architectural Commission to April 30, 2008.

Section 2. The term of any successor the City Council appoints to fill Commissioner Pepp's position on the Architectural Commission shall not begin prior to May 1, 2008, and, in accordance with the provisions of Section 2-2.105(c) of the Beverly Hills Municipal Code, Commissioner Pepp shall continue to serve as a member of the Architectural Commission until such time as a qualified successor is duly appointed by the City Council and takes office.

Section 3. To the extent necessary, this Ordinance amends the provisions of Beverly Hills Municipal Code, Title 2, Chapter 2, Article 1 to allow the City Council to grant an extension of the term of an Architectural Commissioner under the circumstances described in this Ordinance.

Section 4. The City Clerk shall cause this Ordinance to be published at least once in a newspaper of general circulation published and circulated in the City within fifteen (15) days after its passage, in accordance with Section 36933 of the Government Code; shall certify to the adoption of this Ordinance and shall cause this Ordinance and his certification, together with proof of publication, to be entered in the Book of Ordinances of the Council of this City.

Section 5. This Ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the thirty-first (31st) day after its passage.

Adopted:

JIMMY DELSHAD
Mayor of the City of Beverly Hills

[Signatures continue]

ATTEST:

_____ (SEAL)
BYRON POPE
City Clerk

Approved as to form:

LAURENCE S. WIENER
City Attorney

Approved as to content:

RODERICK J. WOOD
City Manager

VINCENT P. BERTONI, AICP
Director of Community Development